

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

TROY SAMUELS,

Defendant.

19-CR-173 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On October 15, 2019, defendant Troy Samuels was sentenced principally to a term of imprisonment of 72 months. Dkt. 63.

On January 29, 2024, defense counsel moved for a reduction of Samuels' sentence, pursuant to Amendment 821 of the Sentencing Guidelines. Dkt. 68 (motion); Dkt. 69 (memorandum of law). The next day, the Court directed the Government to respond. Dkt. 70. On February 2, 2024, the Government filed a letter, agreeing that Samuels is eligible for a reduction of sentence under Amendment 821, and urging the Court to grant the defense's motion. Dkt. 71. The Probation Department has likewise determined that Samuels is eligible for an adjustment of his sentencing guidelines range based on Amendment 821. Dkt. 66.

All parties thus agree that Samuels is eligible for a sentence reduction under Amendment 821; that, under that Amendment, his Criminal History Category, which as of sentencing was calculated as level IV, is now level III; and that, at offense level 25 and criminal history III, his Guidelines range would now be 70-87 months imprisonment, rather than the range calculated at the time of sentencing, of 84-105 months imprisonment. The Court finds that Samuels is eligible for a sentence reduction and adopts the above calculations as to his Guidelines range.

All parties further agree that the Court has the latitude, under Amendment 821, to reduce Samuels' sentence to 70 months imprisonment. The defense recommends such a reduction, *see generally* Dkt. 69, and the Government does not oppose such a reduction, *see* Dkt. 70 at 3.

The Court has reviewed the record in this case, including its assessment of the just and reasonable sentence at the time of sentencing, and the factors addressed in defense counsel's recent memorandum, reflecting Samuel's post-sentencing conduct and circumstances, including the unexpectedly arduous prison conditions that Samuel experienced during the COVID-19 pandemic. Considering the revised Sentencing Guidelines range and all 18 U.S.C. § 3553(a) factors, the Court is persuaded that a reduction of Samuels' sentence to 70 months imprisonment is justified, and that such a sentence is consistent with the § 3553(a) factors taken as a whole, including protection of the public.

Having considered the record in this case and the parties' arguments, it is ORDERED that defendant Samuels' term of imprisonment is reduced to 70 months' imprisonment. All other components of the sentence remain as originally imposed.

In light of the likelihood that this order will result in Samuels' imminent release from prison, the Court directs Government counsel to furnish this order to the Bureau of Prisons forthwith.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: February 7, 2024
New York, New York